

Exhibit A

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA**

BOGARD, MCGRATH, JANE DOE,)
BECCA SCHMILL FOUNDATION,)
Individually and on behalf of all)
Others similarly situated,)

Plaintiffs,)

v.)

CASE No. 3:23-cv-00012-RLY-MPB

TIKTOK INC., BYTEDANCE INC.,)
ALPHABET INC.,)
XXVI HOLDINGS INC., GOOGLE LLC,)
YOUTUBE LLC,)

Defendants.)

**DECLARATION OF BRIAN MICHAEL O’CONNOR IN SUPPORT OF TIKTOK
INC.’S AND BYTEDANCE INC.’S MOTION TO DISMISS FOR LACK OF PERSONAL
JURISDICTION OR, IN THE ALTERNATIVE, TRANSFER**

I, Brian Michael O’Connor, hereby declare as follows:

1. I am over 18 years of age and am legally competent to make this Declaration. I have either personal knowledge of the matters set forth in this declaration or I have learned them through reasonable investigation, and if called upon as a witness, I could testify competently to them.

2. I am HRBP Leader, Americas at ByteDance Inc. I have been an employee of ByteDance Inc. since July 19, 2021. I am based in Culver City, California and currently perform my job functions from Culver City, California.

3. Unless otherwise indicated, the statements made in this declaration with regard to Defendants TikTok Inc. and ByteDance Inc. are based on my personal knowledge, corporate records maintained by TikTok Inc. or ByteDance Inc., in the ordinary course of their business, and/or as a result of consulting with their employees.

4. “TikTok” is the name of a software application, a brand, and a trademark. TikTok Inc. and ByteDance Inc. both support the TikTok brand in the United States.

5. TikTok Inc. is a California corporation with its principal place of business in Culver City, California.

6. ByteDance Inc. is a Delaware corporation with its principal place of business in Mountain View, California.

7. The vast majority of TikTok Inc.’s and ByteDance Inc.’s employees are located in California.

8. The employees responsible for these guidelines, policies, or decisions related to content on the TikTok app and user reports on content on the TikTok app are located in California.

9. TikTok Inc. and ByteDance Inc. by comparison do not have any offices or employees in Indiana.

10. TikTok Inc. and ByteDance Inc. do not make guidelines, policies, or decisions related to the content on the TikTok app or reporting related to content in Indiana.

11. The relevant documents, emails, and notes generated by these TikTok Inc. and ByteDance Inc. employees responsible for guidelines, policies, and/or decisions about content on the TikTok app are located in ByteDance Inc.’s Mountain View office or in TikTok Inc.’s Los Angeles office.

12. The TikTok app runs on Apple iOS and Google Android operating systems and is offered to people for free through the Apple and Google app stores. Google and Apple are both headquartered in cities (Mountain View and Cupertino, respectively) in the Northern District of California.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on April 14, 2023.

DocuSigned by:
Brian O'Connor
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Brian Michael O'Connor